

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**SS-P INVESTMENTS, LLC**, a domestic  
limited liability company,

Plaintiff,

v.

**STATE FARM FIRE AND CASUALTY  
COMPANY**, an Illinois company

Defendant.

Case No. 3:20-cv-00811-YY

**ORDER**

**IMMERGUT, District Judge.**

On March 15, 2022, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”). ECF 22. The F&R recommends that this Court grant Defendant’s Motion for Summary Judgment, ECF 8, and dismiss the case with prejudice. Judge You also recommended that this Court deny as moot Defendant’s motion to strike, ECF 15, which was brought in conjunction with its reply in support of summary judgment. ECF 22 at 29. Both parties filed objections on March 29, 2022. ECF 25; ECF 26. Both parties filed responses to the objections on April 12, 2022. ECF 27; ECF 28. Defendant does not object to Judge You’s F&R to the extent that it recommends granting summary judgment, but objects to Judge You’s denial

of summary judgment on its suit limitations defense and denial of the motion to strike. ECF 25 at 2.

### **STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

### **CONCLUSION**

Having reviewed the portions of the F&R to which objections were filed, this Court accepts Judge You’s conclusions. The F&R, ECF 22, is adopted in full. This Court GRANTS Defendant’s motion for summary judgment, ECF 8, and DENIES as moot Defendant’s motion to strike, ECF 15. This case is DISMISSED with prejudice.

**IT IS SO ORDERED.**

DATED this 15th day of July, 2022.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge